

Baker & Hostetler LLP

45 Rockefeller Plaza
New York, NY 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Nicholas J. Cremona

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

LAKE DRIVE LLC; RICHARD F. KAUFMAN, in
his capacity as a member of Lake Drive LLC;
SYLVIA C. KAUFMAN, in her capacity as a
member of Lake Drive LLC; MICHAEL B.
KAUFMAN, in his capacity as a member of Lake
Drive LLC; ROBERT S. KAUFMAN, in his
capacity as a member of Lake Drive LLC; GREG

Adv. Pro. No. 10-04849 (SMB)

A. KAUFMAN, in his capacity as a member of
Lake Drive LLC; and ANDREW D. KAUFMAN.
in his capacity as a member of Lake Drive LLC,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITHOUT PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), by and through his counsel, Baker & Hostetler LLP, and defendants Lake Drive LLC; Richard F. Kaufman, in his capacity as a member of Lake Drive LLC; Sylvia C. Kaufman, in her capacity as a member of Lake Drive LLC; Michael B. Kaufman, in his capacity as a member of Lake Drive LLC; Robert S. Kaufman, in his capacity as a member of Lake Drive LLC; Greg A. Kaufman, in his capacity as a member of Lake Drive LLC; and Andrew D. Kaufman, in his capacity as a member of Lake Drive LLC (“Defendants”), by and through their counsel, Katten Muchin Rosenman LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 1, 2010, the Trustee filed and served the Complaint against Defendants.
2. On January 17, 2014, Defendants served an answer on the Trustee.
3. On March 31, 2015, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order entered by this Court on November 12, 2010 [Dkt. No. 3181].
4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal without prejudice of the Trustee’s claims against Defendants in the above-captioned adversary

proceeding and dismissing the adversary proceeding.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: May 5, 2015

BAKER & HOSTETLER LLP

By: /s/Nicholas J. Cremona

45 Rockefeller Plaza

New York, New York 10111

Telephone: 212.589.4200

Facsimile: 212.589.4201

David J. Sheehan

dsheehan@bakerlaw.com

Nicholas J. Cremona

ncremona@bakerlaw.com

*Attorneys for Plaintiff Irving H. Picard, Trustee for
the Liquidation of Bernard L. Madoff Investment
Securities LLC and Bernard L. Madoff*

Dated: May 5, 2015

KATTEN MUCHIN ROSENMAN LLP

By: /s/Mark T. Ciani

575 Madison Avenue

New York, New York 10022

Telephone: 212.940.6509

Facsimile: 212.940.8776

Mark T. Ciani

mark.ciani@kattenlaw.com

Brian Muldrew

brian.muldrew@kattenlaw.com

Anthony L. Paccione

anthony.paccione@kattenlaw.com

Attorneys for Defendants Bear Lake LLC f/k/a Bear Lake Partners (hereinafter "Bear Lake Partners"); Richard Kaufman, in his individual capacity and in his capacity as a Partner of Bear Lake Partners; Sylvia Kaufman, in her individual capacity and in her capacity as a Partner of Bear Lake Partners; Michael Kaufman, in his individual capacity and in his capacity as a Partner of Bear Lake Partners; Robert Kaufman, in his individual capacity and in his capacity as a Partner of Bear Lake Partners; Gregory Kaufman, in his individual capacity and in his capacity as a Partner of Bear Lake Partners; and Andrew Kaufman, in his individual capacity and in his capacity as a Partner of Bear Lake Partners

SO ORDERED

Dated: May 5th, 2015
New York, New York

/s/ STUART M. BERNSTEIN

HON. STUART M. BERNSTEIN

UNITED STATES BANKRUPTCY JUDGE